IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7028 of 2006()

AGAINST THE ORDER IN BA.6538/2006 Dated 06/11/2006
MP.4822/2006 of JUDL.M.F.C.-I,ERNAKULAM
Crime No.453/2006 of Palarivattom Police Station

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PETITIONER/ACCUSED NO.1:

BIJU, AGED 24,
S/O. JOSEPH PUTHENVEEDU, SANTHIPURAM COLONY,
POONITHURA VILLAGE.

BY ADV. SRI.DHANESH MATHEW MANJOORAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY S.I. OF POLICE, PALARIVATTOM
POLICE STATION, ERNAKULAM REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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B.A.No.7028 of 2006

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Dated this the 29th day of November, 2006.

ORDER

Petitioner, who is the first accused in Crime No.453 of 2006 of Palarivattom Police Station for offences punishable under Section 399 of I.P.C. and Section 20 read with Section 27 Arms Act, seeks regular bail. The occurrence took place on 9.10.2006 at about 12.30 in the night. The petitioner was arrested on the same night from the spot. The petitioner along with other five accused persons were found by the patrolling shadow police on the Kisan Colony road at Thammanam. On getting suspicious the police restrained the gang. Accused No.1 (petitioner herein) was found concealing a sword on his body and the police had credible suspicion to the effect that the gang was making preparation to commit dacoity.

2. Learned Public Prosecutor opposed the application.

3. The petitioner is an accused in Crime No.195 of 2001 of Ernakulam Town North Police Station for various offences including one punishable under Section 395 I.P.C. and accused in Crime No.164 of 2006 and Crime No.310 of 2006 for offences punishable under the Arms Act. Such a person having such criminal background will be a threat to the society, if he is released on bail. I am not inclined to grant bail.

This application is dismissed.

V.Ramkumar,
Judge.

ess 29/11